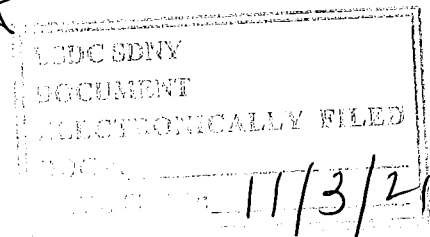


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Chambers of Vincent L. Briccetti



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LUIS A. VAZQUEZ-DIAZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.
-----X

ORDER

21 CV 6757 (VB)

On October 29, 2021, plaintiff filed a motion requesting the Court to order unspecified “New York State facilities” to return “currency” he claims was “confiscated.” (Doc. #18). In an affidavit filed in support of his motion, plaintiff states that the confiscated money amounts to approximately \$3,000 and was “returned to petitioner by Judge Hellerstein in 2003; but never placed in petitioner inmate[’s] account at” the Metropolitan Correctional Center, New York. (Doc. #19).

Because the Court does not have the authority to grant the relief requested in plaintiff’s motion, the motion is DENIED.

The Clerk is instructed to terminate the motion. (Doc. #18).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: November 3, 2021
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge

Luis A. Vazquez-Diaz, 49651-054

Petitioner,

-- Against --

United States Of America.

Respondent

AFFIDAVIT IN SUPPORT OF MOTION FOR

REIMBURSEMENT OF MONEY

21-cv-6757 (LTS.)

I, Luis A. Vazquez-Diaz, duly sworn, depose, and says:

1. I make this affidavit in support of petitioner motion for reimbursement of money, and states as follows.

2- The confiscated money of \$ 3,000 dollars, or so, was returned to petitioner by Judge Hellenstein in 2003; but never place in petitioner inmate account at MCC/ny. Facility.

3- Petitioner has no money in his inmate account.

4- Petitioner is waiting for his money in order to buy (buy) educational books.

5- Petitioner surcharge and idle pay from the state of New York facilities must be reimburse immediately: State # 97-A-3359.

6- Petitioner ask that the relief herein sought be granted just and proper.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: October 11, 2021

Respectfully Submitted

Luis A. Vazquez-Diaz

c.c.

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Luis A. Vazquez-Diaz 2,49651-054

Petitioner

-- against --

United States Of America.

Respondent

MOTION FOR REIMBURSEMENT OF MONEY

21-CV-6757 (LTS.)

Hereby petitioner move this court asking said court for the return of all currency confiscated, surge charge, and idle pay from the New York state facilities of fore-mentioned in petitioner papers. An affidavit is attached.

Dated: October 11, 2021

Respectfully submitted

Luis A. Vazquez-Diaz

C.C.

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